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CAVIAR CREATOR, INC., a Nevada corporation

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

DANIEL W. FAERFERS and KATJA  
FAERFERS,

Plaintiffs,

v.

CAVIAR CREATOR, INC., a Nevada  
Corporation, individually and as successor  
to CAVIAR CREATOR, INC., an Oregon  
Corporation

Defendants.

AND RELATED COUNTERCLAIM

CASE NO. 2:04-cv-2690-MCE-EFB

**STIPULATION AND ORDER RE:  
EXTENSION TO SUBMIT JOINT  
PRETRIAL STATEMENT**

Final Pretrial Conference:

Date: December 18, 2006  
Time: 1:30 p.m.  
Ctrm.: 3

**Trial: January 24, 2007**

WHEREAS, the Court ordered the Joint Pretrial Statement to be submitted on  
December 4, 2006;

WHEREAS, in the process of meeting and conferring regarding The Joint Pretrial  
Statement, counsel for Defendant/Counterclaimant has been advised on Friday, December  
1, 2006, by the assistant to Plaintiff's counsel, Cris Vaughan, that Mr. Vaughan had been

1 unexpectedly admitted to a medical facility on November 30, 2006, due to serious health  
2 conditions, which health conditions prevent him from completing the Joint Pretrial  
3 Statement by December 4, 2006;

4 WHEREAS, the parties have agreed that, due to the above, additional time is  
5 needed to complete the Joint Pretrial Statement;

6 WHEREAS, counsel for Defendant/Crossclaimant has received authority to submit  
7 this stipulation and order on behalf of both parties;

8 THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto  
9 that the currently scheduled date for submission of the Joint Pretrial Statement of  
10 December 4, 2006, be continued to and including December 11, 2006.

11 Dated: December 1, 2006

DIEPENBROCK HARRISON  
A Professional Corporation

12  
13 By: /s/ [Eileen M. Diepenbrock]  
14 EILEEN M. DIEPENBROCK  
15 Attorneys for Defendant/Counterclaimant  
CAVIAR CREATOR, INC.

16  
17 **ORDER**

18  
19 IT IS HEREBY ORDERED that the parties may submit their Joint Pretrial  
20 Statement no later than December 11, 2006.

21 Dated: December 5, 2006

22   
23 MORRISON C. ENGLAND, JR.  
24 UNITED STATES DISTRICT JUDGE